

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

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UNITED STATES OF AMERICA §
 §
v. §
 §
JUSTIN TYRECE CRAWFORD §

CASE NO: 5:24-CR-082-H-BV-1

**REPORT AND RECOMMENDATION ON PLEA
BEFORE THE UNITED STATES MAGISTRATE JUDGE**

The defendant, by consent and under the authority of *United States v. Dees*, 125 F.3d 261 (5th Cir. 1997), appeared with counsel for the purpose of entering a plea of guilty under **Rule 11(c)(1)(C)** of the Federal Rules of Criminal Procedure. This Report and Recommendation is submitted under 28 U.S.C. § 636(b)(3).

The defendant was placed under oath and examined in open court concerning the subjects of Rule 11 of the Federal Rules of Criminal Procedure. The defendant was advised regarding each subject and affirmed his/her understanding of each subject. Pursuant to a written plea agreement with the government **under Rule 11(c)(1)(C)**, the defendant pled guilty to Count One of the Indictment, charging a violation of 18 U.S.C. §§ 922(g)(1), 924(a)(8)—Convicted Felon in Possession of a Firearm.

After examining the defendant under oath, I find that:

1. The defendant, upon advice of counsel, consented orally and in writing to enter this guilty plea before a magistrate judge, subject to final approval and sentencing by the presiding district judge;
2. The defendant fully understands the nature of the charges, including each essential element of the offense(s) charged, and the associated penalties;
3. The defendant fully understands the terms of the plea agreement and plea agreement supplement;

4. The defendant understands all his/her constitutional and statutory rights and wishes to waive these rights, including the right to a trial by jury and the right to appear before a United States district judge;
5. The defendant's plea is made freely and voluntarily;
6. The defendant is competent to enter this plea of guilty; and
7. There is a factual basis to support this plea.

Based on the foregoing, I conclude that the plea of guilty is knowing, voluntary, and supported by an independent basis in fact containing each of the essential elements of the offense.

The plea agreement in this case contains a binding sentencing recommendation under Fed. R. Crim. P. 11(c)(1)(C) to time-served. In consideration of that recommendation, the defendant has agreed, among other things, to withdraw his motion to dismiss the indictment and to the forfeiture of property. Based on the circumstances presented, I believe that the interests of justice are served by the plea agreement and recommend that the defendant's plea of guilty be accepted, he be adjudged guilty, and that he be sentenced according to the terms of his plea agreement. Should the district judge disagree with this recommendation, the defendant must be offered an opportunity to withdraw his guilty plea.

Although I have conducted these proceedings, the district judge has the power to review my actions and possesses final decision-making authority. Ordinarily, a defendant must file any objections to the findings or any other action of the magistrate judge within fourteen (14) days. Here, however, the defendant has knowingly and

voluntarily waived the objection period in writing. The defendant has also requested that the presentence investigation and report be expedited and that his sentencing take place as soon as practicable.

Signed: April 9, 2025.

Amy Burch
AMANDA 'AMY' R. BURCH
UNITED STATES MAGISTRATE JUDGE